

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 13 February 2019 at 10.30 a.m.

PRESENT: Councillor John Batchelor – Chairman
Councillor Pippa Heylings – Vice-Chairman

Councillors: Dr. Martin Cahn Peter Fane
Bill Handley Brian Milnes
Judith Rippeth Deborah Roberts
Peter Topping Heather Williams
Nick Wright

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), John Koch (Planning Team Leader (West)), Richard Pitt (Principal Planning Lawyer), Ian Senior (Democratic Services Officer), Charles Swain (Principal Planning Enforcement Officer), Alison Twyford (Senior Planning Officer) and Rebecca Ward (Principal Planning Officer)

Councillors Nigel Cathcart and Sarah Cheung Johnson were in attendance, by invitation.

1. APOLOGIES

There were no Apologies for Absence.

2. DECLARATIONS OF INTEREST

Councillor Dr. Martin Cahn declared a non-pecuniary interest in Minute 5 (S/1486/18/FL - Impington (Land to the rear of 49-83 (odds) Impington Lane, Impington, CB24 9NJ)). Councillor Cahn's wife is a member of Impington Parish Council. Councillor Cahn is a member of the Royal Town Planning Institute (RTPI).

Councillor Heather Williams declared

- A non-pecuniary interest in Minute 7 (S/4433/18/OL - Bassingbourn (Garage site off Knutsford Road). Councillor Williams had attended a meeting of Litlington Parish Council at which this application had been discussed. However, she had not participated in that discussion, and was now considering the matter afresh.
- a non-pecuniary interest in Minute 8, paragraph 5(e) (Enforcement – 147 St. Neots Road, Hardwick). The landlords of no. 147 are also landlords of the neighbouring property, which is the headquarters building of the political association of which Councillor Williams is Deputy Chairman.

3. RECORDED VOTING

Upon a show of hands, the Committee **agreed unanimously** that all substantive votes at the current Planning Committee meeting should be recorded by name and / or number and name.

4. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 16 January 2019.

5. S/1486/18/FL - IMPINGTON (LAND TO NORTH OF IMPINGTON LANE (LAND TO THE REAR OF 49-83 (ODDS) IMPINGTON LANE)

Members noted that the applicant had lodged an Appeal against the non-determination of this application. The purpose of the report to this meeting was to establish what the Committee would have decided, and its reasons for doing so.

The case officer reported that the applicant had indicated a willingness to withdraw their Appeal if the Local Planning Authority decided to grant planning permission. The Legal Officer explained the process that had to be followed, including a six-week Judicial Review period. Some Members expressed unease with the circumstances in which they were having to consider the report.

Councillor Pippa Heylings, speaking as a local Member, called for greater community engagement and integration of affordable housing into the wider development. She expressed concern at the absence of biodiversity net gain. Councillor Dr. Martin Cahn (another local Member) added concern about highway safety.

Following further discussion and, had it still been in its gift to determine the application, and in order to assist officers in formulating the Council's response to the appeal for non-determination, the Committee was **minded to approve** the application by six votes to five, subject to:

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of Terms attached as Appendix 1 to the report from the Joint Director of Planning and Economic Development and update to public-art requirement as set out by the Planning Officer at the beginning of the meeting;
2. The Conditions and Informatives set out in the said report; and
3. Additional Conditions securing
 - a. Biodiversity net gain and survey identifying those existing trees on site to be retained
 - b. Consultation with local member and parish council on the Construction Environmental Management Plan sufficient to protect an affected vulnerable family
 - c. Additional information in traffic management plan condition to restrict hours of deliveries during peak school times and for a forman to ensure deliveries are carried out safely.
 - d. Permeability through the development

Cllrs John Batchelor, Cahn, Fane, Handley, Heylings and Milnes were minded to approve the application: Cllrs Rippeth, Roberts, Topping, Heather Williams and Wright were minded to refuse)

Councillor Pippa Heylings left the meeting at this stage, and was not present for Minutes 6, 7, 8 or 9. With the Committee's agreement, Councillor Brian Milnes was appointed Vice-Chairman for the remainder of the meeting.

6. S/2439/18/FL - LONGSTANTON (LAND REAR OF THE RETREAT, FEWS LANE)

Daniel Fulton (objector), Mr. Caddoo (applicant), Libby White (Longstanton Parish Council Clerk on behalf of the Council) and Councillor Sarah Cheung Johnson (a local Member) addressed the meeting.

The Planning Team Leader referred to a letter received from Mr. Fulton, and confirmed that this had been published effectively on the South Cambridgeshire District Council website. He told Members that they must consider the application on its merits, and that the previous Appeal was a material planning consideration. The Planning Team Leader confirmed that the report published with the agenda was the finalised report.

Committee discussion revolved around working hours and highway safety.

Councillor Pippa Heylings having previously left the meeting, the Committee unanimously **approved** the application by ten votes to nil, subject to

1. the Conditions and Informatives set out in the report from the Joint Director of Planning and Economic Development;
2. an additional Condition requiring there to be no deliveries between 7.30am and 9.30am and between 3.00pm and 6.00pm (or such other times as to avoid a conflict with school drop off and collection); and
3. the final wording or amendment of Conditions and Informatives referred to in 1. And 2. above being agreed by officers in consultation with the Chairman of the Planning and Vice-Chairman for this item (Councillor Brian Milnes) prior to the issue of a Decision Notice.

7. S/4433/18/OL - BASSINGBOURN (GARAGE SITE OFF KNUTSFORD ROAD)

Members visited the site on 12 February 2019.

Councillor Nigel Cathcart (local Member) addressed the meeting. The principal issue raised related to best use of the land, and whether consideration had been given to the construction there of affordable housing instead. The case officer reminded the Committee that it could only consider the application as submitted.

The Drainage Manager, speaking on behalf of the applicant (South Cambridgeshire District Council) said that the site was not suitable for affordable housing, and that the Authority had recognised its obligations under the self-build scheme.

By seven votes to two, with one abstention and Councillor Pippa Heylings having previously left the meeting, the Committee **approved** the application subject to

1. The Conditions and Informatives set out in the report from the Joint Director of

Planning and Economic Development, Condition (h) being reworded to read

All deliveries to the site and all muck away movements are to be carried out only between *09.30am* and *2.30pm* Monday to Friday and at no other time. (Reason - In the interest of highway safety in accordance with Policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018)

2. the final wording or amendment of Conditions and Informatives referred to in 1. above being agreed by officers in consultation with the Chairman of the Planning Committee and Vice-Chairman for this item (Councillor Brian Milnes) prior to the issue of a Decision Notice.

Councillors John Batchelor, Cahn, Fane, Handley, Milnes, Rippeth and Topping voted to approve the application. Councillors Roberts and Wright voted to refuse. Councillor Heather Williams abstained.

8. ENFORCEMENT REPORT

The Committee **received, noted and discussed** the Update on enforcement action. With reference to paragraph 5(a) of the report from the Joint Director for Planning and Economic Development (Smithy Fen, Cottenham), Councillor Nick Wright again asked that the appropriate Legal Officer should attend Planning Committee to update Members about progress.

9. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Committee **received and noted** a report on appeals against planning decisions and enforcement action.

The Meeting ended at 1.05 p.m.
